



CRIMINAL COMPLAINT

United States District Court	DISTRICT of ARIZONA
United States of America v. Everardo RODRIGUEZ HERRERA DOB: XX/XX/2004; Mexican Citizen	DOCKET NO. MAGISTRATE'S CASE NO. <div style="text-align: right; font-size: 1.2em; font-weight: bold;">23-03340MJ</div>
Complaint for violation of Title 18, United States Code, Section 554(a)	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION: On or about November 9, 2023, in the District of Arizona, Everardo RODRIGUEZ HERRERA knowingly and fraudulently exported and sent from the United States, and attempted to export and send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article, or object, that is: one (1) 9mm Glock 43X, two (2) loaded magazines, and 57 rounds of 9mm ammunition, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 50, United States Code, Section 4819; Title 15, Code of Federal Regulations, Parts 736.2, 738, and 774; all in violation of Title 18, United States Code, Section 554(a).	
BASIS OF COMPLAINT'S CHARGE AGAINST THE ACCUSED: On November 9, 2023, Everardo RODRIGUEZ HERRERA attempted to exit the United States and enter the Republic of Mexico through the DeConcini Port of Entry in Nogales, Arizona. United States Customs and Border Protection Officers (CBPOs) working pedestrian outbound enforcement operations observed two adult males heading south towards Mexico. CBPOs attempted to stop both subjects for an outbound inspection; however, both subjects failed to stop and attempted to flee south into Mexico. Both subjects were apprehended and interviewed. One of the subjects was later identified as RODRIGUEZ HERRERA . CBPOs conducted a pat-down on RODRIGUEZ HERRERA and felt an object on the right-side pant pocket. After removing the objects, CBPOs discovered one (1) 9mm Glock 43X, two (2) loaded magazines, and 57 rounds of 9mm ammunition. (BASIS OF COMPLAINT CONTINUED ON REVERSE.)	
MATERIAL WITNESSES IN RELATION TO THE CHARGE:	
Detention Requested Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge. AUTHORIZED BY:  Digitally signed by NATHANIEL WALTERS Date: 2023.11.13 12:30:56 -07'00'	SIGNATURE OF COMPLAINANT LESILEE D DEMPSEY Digitally signed by LESILEE D DEMPSEY Date: 2023.11.13 13:03:05 -07'00' OFFICIAL TITLE SA Lesilee Dempsey, HSI
Sworn by telephone ____.	
SIGNATURE OF MAGISTRATE JUDGE ¹⁾ 	DATE November 13, 2023

1) See Federal Rules of Criminal Procedure Rules 3, 4.1, and 54.

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(BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED CONTINUED)

During a post-*Miranda* interview, **RODRIGUEZ HERRERA** admitted he was going to be paid \$1,000 to take the firearm, magazines, and ammunition to Mexico. **RODRIGUEZ HERRERA** further stated his neighbor offered him the money to deliver the items to Santa Ana, Sonora, Mexico. **RODRIGUEZ HERRERA** stated if he was successful in taking the items to Mexico, his neighbor was going to deliver the \$1,000 to **RODRIGUEZ HERRERA**'s wife.

The firearm, magazines, and ammunition found on **RODRIGUEZ HERRERA**'s person qualify as United States Commerce Control List items and therefore are prohibited by law for export from the United States into Mexico without a valid license. **RODRIGUEZ HERRERA** does not possess a license to export firearms, magazines, or ammunition into Mexico.